

Our Ref: ID 2241
Your Ref: PP-2023-1805 Ref-2597

13 February 2024

Shruthi Sriram
Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

email: shruthi.sriram@dpie.nsw.gov.au
CC: shelly.stingmore@one.ses.nsw.gov.au

Dear Shruthi,

Planning Proposal for 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot

Thank you for the opportunity to provide comment on the Planning Proposal for 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot. It is understood that the planning proposal seeks to amend the Bayside LEP to rezone the site to R4 High Density Residential allowing for residential development consisting of:

- 152 dwellings across 3 buildings
- 2 levels of basement car parking
- Potential retention of existing ambulance station

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunami in NSW. This role includes, planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The consent authority will need to ensure that the planning proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.1 – Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting guidelines, including the Support for Emergency Management Planning. Key considerations relating to emergency management are outlined in Attachment A.

In summary, we:

- **Note** the site is impacted by overland flooding as frequently as a 50% Annual Exceedance Probability (AEP) event¹ and appears to become a high flood island during a Probable Maximum Flood (PMF) event² with all surrounding streets inundated with flood water.
- **Recommend** additional flood modelling to be undertaken, to better understand the risks to the site and surrounding properties which may result from the proposed development on the site.
- **Recommend** ensuring that all openings to the basement (ramp, vents, etc) are situated above the Probable Maximum Flood (PMF), or reconsidering basement carparking if this is not feasible to reduce risk to life and property.
- **Recommend** consideration is given to the location of the potential retention of the ambulance station to ensure flood free access is available up to the PMF.

You may also find the following Guidelines, originally developed for the Hawkesbury Nepean Valley and available on the NSW SES website useful:

- [Reducing Vulnerability of Buildings to Flood Damage](#)
- [Designing Safer Subdivisions](#)
- [Managing Flood Risk Through Planning Opportunities](#)

Please feel free to contact Kate Dawes via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Elspeth O'Shannessy'.

Elspeth O'Shannessy
Manager Risk Assessment Emergency Risk Management
NSW State Emergency Service

¹ WMA Water, 2019, Mascot Rosebery & Eastlakes Flood Study, Volume 2 Maps, Figure B1 Peak Flood Depths and Levels MRE Catchment 50% AEP Event, Page 3

² WMA Water, 2019, Mascot Rosebery & Eastlakes Flood Study, Volume 2 Maps, Figure B7 Peak Flood Depths and Levels MRE Catchment PMF Event, Page 9

ATTACHMENT A: Principles Outlined in the Support for Emergency Management Planning Guideline³

Principle 1 Any proposed Emergency Management strategy should be compatible with any existing community Emergency Management strategy.

Any proposed Emergency Management strategy for an area should be compatible with the evacuation strategies identified in the relevant local or state flood plan or by the NSW SES. As per the Bayside Flood Emergency Sub Plan, evacuation is the primary emergency management strategy⁴.

Principle 2 Decisions should be informed by understanding the full range of risks to the community.

Decisions relating to future development should be risk-based and ensure Emergency Management risks to the community of the full range of floods are effectively understood and managed.

The site is impacted by overland flooding as frequently as a 50% AEP event⁵. During a PMF event all surrounding streets inundated with flood water with depths of up to 0.5m⁶ and Hazard Level 2 (H2)⁷ along Botany Road in the area of the proposed driveway and basement entrance. This level of flooding is generally unsafe for small vehicles⁸ with higher hazard present on surrounding roadways in the area. This may result in the site becoming isolated as residents are unable to safely travel on evacuation routes.

Principle 3 Development of the floodplain does not impact on the ability of the existing community to safely and effectively respond to a flood.

The ability of the existing community to effectively respond (including self-evacuating) within the available timeframe on available infrastructure is to be maintained. It is not to be impacted on by the cumulative impact of new development.

³ NSW Government. 2023. Principles Outlined in the Support for Emergency Management Planning Guideline

⁴ Bayside Flood Emergency Sub Plan, Endorsed May 2023, Section 5.8, Page 16

⁵ WMA Water, 2019, Mascot Rosebery & Eastlakes Flood Study, Volume 2 Maps, Figure B1 Peak Flood Depths and Levels MRE Catchment 50% AEP Event, Page 3

⁶ WMA Water, 2019, Mascot Rosebery & Eastlakes Flood Study, Volume 2 Maps, Figure B7 Peak Flood Depths and Levels MRE Catchment PMF Event, Page 9

⁷ WMA Water, 2019, Mascot Rosebery & Eastlakes Flood Study, Volume 2 Maps, Figure B16(ii) Provisional Hydraulic Hazard (ADR) MRE Catchment PMF Level, Page 20

⁸ Department of Planning and Environment, 2023, Flood Hazard, Figure 1 General flood hazard vulnerability curve

Basement car parks have inherent risks to life and property⁹ and can often restrict safe evacuation of the occupants. This can be managed through building design, such as crest levels above a certain level (e.g. the PMF) to prevent water ingress and flooding.

Principle 4 Decisions on redevelopment within the floodplain does not increase risk to life from flooding.

Managing flood risks associated with High Flood Islands requires careful consideration of development type, likely users, and their ability respond to minimise their risks. This includes consideration of:

- Isolation – There is no known safe period of isolation in a flood, the longer the period of isolation the greater the risk to occupants who are isolated.
- Secondary risks – This includes fire and medical emergencies that can impact on the safety of people isolated by floodwater. The potential risk to occupants needs to be considered and managed in decision-making.
- Consideration of human behaviour – The behaviour of individuals such as choosing not to remain isolated from their family or social network in a building on a floor above the PMF for an extended flood duration or attempting to return to a building during a flood, needs to be considered.

Due to the need to maintain operations during flood events, any potential retention of Ambulance facilities should be located above the PMF. While this facility is currently existing on the site, the 2022 Flood Inquiry recommends where possible *“to minimise disruption to medical services, aged care services and the police, Government ensure hospitals, medical centres... and police stations are situated above the probable maximum flood level¹⁰”* with access and egress available up to and including the PMF.

Principle 5 Risks faced by the itinerant population need to be managed.

Any Emergency Management strategy needs to consider people visiting the area or using a development.

Principle 6 Recognise the need for effective flood warning and associated limitations.

An effective flood warning strategy with clear and concise messaging understood by the community is key to providing the community an opportunity to respond to a flood threat in an appropriate and timely manner.

Principle 7 Ongoing community awareness of flooding is critical to assist effective emergency response.

⁹ Collier, L. Phillips, B., and Griffin, M. 2017. Basement Development in the Floodplain. Floodplain Management Australia Conference. Newcastle, 2017

¹⁰ New South Wales, 2022, Flood Inquiry, Volume One Summary Report, Recommendation 28 – Essential Services and Flood Plain Infrastructure, Page 42

In terms of the current proposal, the flood risk at the site and actions that should be undertaken to reduce the potential risk to life should be clearly communicated to all site users, for example through signage and emergency drills, during and after the construction phase for the life-span of the development.

At first glance it may seem that if people live in an area where frequent low-level floods occur, they would be more flood aware. Unfortunately, although they may be aware of flooding, they generally come to the view that they are not at risk because they think all floods are like the small ones they often see. This is not true and big floods will almost always catch people by surprise and exceed their capacity to deal with the situation unless they have considered this scenario in their planning and preparedness.

9 February 2024

TfNSW Reference: SYD21/01054/03
DPHI Reference: PP-2023-1805

Ms Kiersten Fishburn
Secretary
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

**RE: PLANNING PROPOSAL – 776 & 792-794 BOTANY ROAD AND 33-37
HENRY KENDALL CRESCENT, MASCOT**

Attention: Shruthi Sriram

Dear Ms Fishburn

Transport for NSW (TfNSW) appreciates the opportunity to provide comment on the above Planning Proposal as referred to TfNSW via NSW Planning Portal on 15 December 2023. We note consultation is being undertaken with TfNSW under Condition 4 of the Gateway Determination dated 15 November 2023.

TfNSW has reviewed the submitted documentation and notes that the Planning Proposal would facilitate renewal of the site for around 152 dwellings with a mix of social and private housing. It seeks to amend the *Bayside Local Environmental Plan 2021* to rezone the site from E1 Local Centre to R4 High Density Residential, increase the height of buildings from 14m to 28m and remove the active frontages requirement.

It is understood that the Planning Proposal amendments would also be supported by a draft site specific DCP. It seeks to establish development principles and controls for the site.

TfNSW's detailed comments are provided in **Attachment A**. It is requested that the comments provided are satisfactorily addressed and/or considered by Council.

Should you have any questions or further enquiries in relation to this matter, please contact Ash Tamhane via email: development.sydney@transport.nsw.gov.au.

Yours sincerely



Dipen Nathwani
**A/Senior Manager Strategic Land Use (Eastern)
Land Use, Network & Place Planning**

Attachment A – Comments on Planning Proposal PP-2023-1825

- TfNSW are currently investigating the provision of a priority bus lane on Botany Road as part of bus lane projects. The existing kerbside lane will be converted into timed bus lane without any road widening on Botany Road.
- Further, the lane configuration on Coward Street (western approach) is also under investigation. It is proposed to construct a dedicated left turn lane of approximately 45m in length to accommodate vehicles turning left from Coward Street (western approach) onto Botany Road (northern approach). This dedicated left turn lane is likely to be accommodated within the existing kerb lines of Botany Road and Coward Street.
- Clause 2.119(2) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* states that:
 - *“The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that –
(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, ...”.*

Considering the above, TfNSW does not support any vehicular access from Botany Road as it is a classified State Road.

- Considering TfNSW's investigations outlined in point 1 and 2 above, all vehicular accesses to/from the site are recommended to be via Henry Kendall Crescent to ensure safety and efficiency of the proposed priority bus lane on Botany Road and proposed dedicated left turn lane on Coward Street is maintained. However, emergency vehicle access for ambulances to/from Botany Road may be permitted (subject to further discussions with TfNSW).
- Bus services discussed in the Traffic and Parking Assessment report should be updated to reflect any recent changes to bus services as well as consider including information around bus stop location and its usage/impacts.
- Any modifications to bus stops on Botany Road during construction or in end state are to be discussed with TfNSW and service operators prior to the lodgement of any development application for the site.
- Permeability within the site (linking Henry Kendall Crescent and Botany Road) is strongly supported and should be considered, particularly for pedestrians and in support of active transport. This will encourage access to Botany Road and the public transport system operating along the corridor that links to surrounding transport hubs and interchanges.
- TfNSW and Bayside Council are also considering potential cycling connection along Coward Street. However, the investigation is at its early stage and impact on the property is unknown.
- TfNSW recommends lower car parking provision in the proposed development noting that the site is within 800m (10 minute) walking distance to Mascot Train Station with access to bus services on Coward Street and Botany Road. TfNSW further recommends that bicycle parking above the minimum rate required by Council's Development Control Plan is provided to encourage active transport mode share to and from the site.
- To ensure the developments loading and servicing demands can be wholly accommodated within the site and not rely on kerbside space, which may be reallocated in the future, it is recommended that any proposed development provide adequate freight and service vehicle spaces.

From: [Peter Elliott \(Ministry of Health\)](#)
To: [Shruthi Sriram](#)
Cc: [Louise McMahon](#); [Wayne Williamson](#); [Alexander Galea](#); [James Shelton](#); [moh-ems](#); [Miles Murphy \(Ministry of Health\)](#)
Subject: RE: Botany Road Mascot development proposal Status update: B23/1466 - NSW Health Submission for PP-2023-1805 (B23/1466)
Date: Thursday, 11 April 2024 10:48:50 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)

Dear Shruthi

Re: 776 Botany Road, Mascot – NSW Ambulance Mascot Station

I refer to the emails below concerning the planning proposal for Mascot (PP-2023-1805). Thank you for the opportunity for NSW Ambulance to provide comment.

NSW Ambulance is owner of 776 Botany Road, Mascot NSW, for purposes of operating an ambulance station and an emergency ambulance response to the community. Mascot Ambulance Station is a strategic site in the NSW Ambulance Sydney metropolitan response network of ambulance stations.

On review, the public exhibition currently shows the Mascot Ambulance Station within the rezoning concept design. NSW Health joined the planning proposal to uplift the zoning of the land to increase utilisation for the LAHC property, but not to impact operations of the Mascot Ambulance Station as it is a 24/7 emergency service. An integrated design with an ambulance station is not conducive to operations or is it supported.

NSW Health understands that the adjoining owner intends to redevelop the site at 729-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot to facilitate renewal of its social housing assets in this location.

I also understand there is a deadline for response from NSW Ambulance by today to DPEI. In consideration for the wider NSW Government initiatives, NSW Ambulance is open to meeting and discussing the wider NSW Government initiatives without compromising the Mascot Ambulance Station operations.

If we can discuss and agree required interfaces and timelines that would be very much appreciated. Thanks in advance and I look forward to discussing this with you or your nominated officer to resolve this item and agree next steps.

Yours sincerely

Peter Elliott ASM

Assistant Commissioner|A/Executive Director|**Finance and Corporate Services**

Locked Bag 105, Rozelle NSW 2039

m: 0407 917 813 | peter.elliott@health.nsw.gov.au

www.ambulance.nsw.gov.au

From: Miles Murphy (Ministry of Health) <Miles.Murphy@health.nsw.gov.au>

Sent: Thursday, 11 April 2024 11:05 AM

To: Hanna Shalbaf <Hanna.Shalbaf@planning.nsw.gov.au>

Cc: Tara Eglington <Tara.Eglington@health.nsw.gov.au>; peter.elliott <peter.elliott@health.nsw.gov.au>

Subject: 776 Botany Road, Mascot – NSW Ambulance Site

Good morning Hanna

Re: 776 Botany Road, Mascot – NSW Ambulance Site

I am wondering if we can have a quick chat to help with the above mentioned property or direct me to someone relating to property – **776 Botany Road, Mascot – NSW Ambulance Site**

There is a public exhibition currently showing the ambulance station with the rezoning concept design. NSW Ambulance currently occupy and are utilising the above property for emergency service delivery and support services.

NSW Health joined the planning proposal to uplift the zoning of the land to increase utilisation for the LAHC property, but not to impact operations of the Mascot ambulance station as it is a 24/7 emergency service. An integrated design with an ambulance station is not conducive to operations or is it supported.

NSW Health understands that the adjoining owner intends to redevelop the site at 729-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot to facilitate renewal of its social housing assets in this location

I also understand there is a deadline for response by today to DPEI. If we can discuss and agree required interfaces and timelines that would be very much appreciated.

I have also left a similar message on your mobile.

Thanks in advance and I look forward to discussing this with you or your nominated officer to resolve this item and agree next steps.

Kind regards

Miles

Miles Murphy

A/Executive Director Strategic Asset Management | NSW Health
Financial Services & Asset Management Division

Level 8, 1 Reserve Road, St Leonards, New South Wales 2065 | Locked Bag 2030, St Leonards NSW 1590

M 0488 272 223 **E** miles.murphy@health.nsw.gov.au

www.health.nsw.gov.au



Health



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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